

Reexam



PTO/SB/57 (07-07)

Approved for use through 07/31/2007. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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(Also referred to as FORM PTO-1465)

REQUEST FOR *EX PARTE* REEXAMINATION TRANSMITTAL FORM

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Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

5548 U.S. PTO



07/30/07

Attorney Docket No.: X32441

Date: July 30, 2007

5548 U.S. PTO

90008775



07/30/07

1. ☒ This is a request for *ex parte* reexamination pursuant to 37 CFR 1.510 of patent number 4,935,184 issued June 19, 1990. The request is made by:
 - ☐ patent owner.
 - ☒ third party requester.
2. ☒ The name and address of the person requesting reexamination is:
 - Arnold Turk, Esq.
 - Greenblum & Bernstein, P.L.C.
 - 1950 Roland Clarke Place, Reston, VA 20191
3. ☒ a. A check in the amount of \$ 2,520.00 is enclosed to cover the reexamination fee, 37 CFR 1.20(c)(1);
 - ☒ b. The Director is hereby authorized to charge the fee as set forth in 37 CFR 1.20(c)(1) to Deposit Account No. 19-0089 (submit duplicative copy for fee processing); or
 - ☐ c. Payment by credit card. Form PTO-2038 is attached.
4. ☒ Any refund should be made by ☐ check or ☒ credit to Deposit Account No. 19-0089. 37 CFR 1.26(c). If payment is made by credit card, refund must be to credit card account.
5. ☒ A copy of the patent to be reexamined having a double column format on one side of a separate paper is enclosed. 37 CFR 1.510(b)(4)
6. ☐ CD-ROM or CD-R in duplicate, Computer Program (Appendix) or large table
 - ☐ Landscape Table on CD
7. ☐ Nucleotide and/or Amino Acid Sequence Submission
 - If applicable, items a. - c. are required.*
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM (2 copies) or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies
8. ☐ A copy of any disclaimer, certificate of correction or reexamination certificate issued in the patent is included.
9. ☒ Reexamination of claim(s) 1, 2, 4, 6-10 is requested.
10. ☒ A copy of every patent or printed publication relied upon is submitted herewith including a listing thereof on Form PTO/SB/08, PTO-1449, or equivalent.
11. ☒ An English language translation of all necessary and pertinent non-English language patents and/or printed publications is included.

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[Page 1 of 2]

This collection of information is required by 37 CFR 1.510. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. § 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND TO: Mail Stop *Ex Parte* Reexam, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

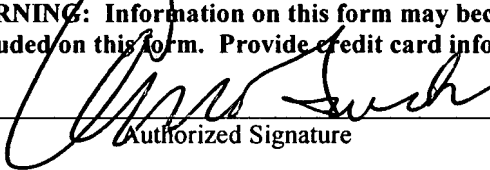
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12. <input checked="" type="checkbox"/> The attached detailed request includes at least the following items: <ul style="list-style-type: none"> a. A statement identifying each substantial new question of patentability based on prior patents and printed publications. 37 CFR 1.510(b)(1) b. An identification of every claim for which reexamination is requested, and a detailed explanation of the pertinency and manner of applying the cited art to every claim for which reexamination is requested. 37 CFR 1.510(b)(2) 									
13. <input type="checkbox"/> A proposed amendment is included (only where the patent owner is the requester). 37 CFR 1.510(e)									
14. <input checked="" type="checkbox"/> a. It is certified that a copy of this request (if filed by other than the patent owner) has been served in its entirety on the patent owner as provided in 37 CFR 1.33(c). The name and address of the party served and the date of service are: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">James Michael Kaler</td> <td style="width: 50%; border-bottom: 1px solid black;">Edward W. Callan</td> </tr> <tr> <td style="border-bottom: 1px solid black;">The Law Offices of James M. Kaler</td> <td style="border-bottom: 1px solid black;">3830 Valley Center Drive, No.705, PMB452</td> </tr> <tr> <td style="border-bottom: 1px solid black;">9930 Mesa Rim Road Suite 200, San Diego, CA 92121</td> <td style="border-bottom: 1px solid black;">San Diego, CA 92130</td> </tr> </table> Date of Service: <u>July 30, 2007</u> ; or <input type="checkbox"/> b. A duplicate copy is enclosed since service on patent owner was not possible.				James Michael Kaler	Edward W. Callan	The Law Offices of James M. Kaler	3830 Valley Center Drive, No.705, PMB452	9930 Mesa Rim Road Suite 200, San Diego, CA 92121	San Diego, CA 92130
James Michael Kaler	Edward W. Callan								
The Law Offices of James M. Kaler	3830 Valley Center Drive, No.705, PMB452								
9930 Mesa Rim Road Suite 200, San Diego, CA 92121	San Diego, CA 92130								
15. Correspondence Address: Direct all communication about the reexamination to: <table style="width: 100%; border: none; margin-top: 10px;"> <tr> <td style="width: 50%; vertical-align: top;"> <input checked="" type="checkbox"/> The address associated with Customer Number: <input checked="" type="checkbox"/> OR </td> <td style="width: 50%; vertical-align: top; border: 1px solid black; padding: 5px;"> 07055 </td> </tr> </table>				<input checked="" type="checkbox"/> The address associated with Customer Number: <input checked="" type="checkbox"/> OR	07055				
<input checked="" type="checkbox"/> The address associated with Customer Number: <input checked="" type="checkbox"/> OR	07055								
<input checked="" type="checkbox"/> Firm or Individual Name <u>Greenblum & Bernstein, P.L.C.</u>									
Address <u>1950 Roland Clarke Place</u>									
City	<u>Reston</u>	State	<u>VA</u>						
		Zip <u>20191</u>							
Country <u>United States</u>									
Telephone	<u>(703) 716-1191</u>	Email	<u>aturk@gbpatent.com</u>						
16. <input checked="" type="checkbox"/> The patent is currently the subject of the following concurrent proceeding(s): <ul style="list-style-type: none"> <input type="checkbox"/> a. Copending reissue Application No. _____ <input type="checkbox"/> b. Copending reexamination Control No. _____ <input type="checkbox"/> c. Copending Interference No. _____ <input checked="" type="checkbox"/> d. Copending litigation styled: <ul style="list-style-type: none"> (1) <u>Jens E. Sorensen v. Black Decker (U.S.) Inc., et al., Civil Action No. 06-cv-1572</u> (2) <u>Jens E. Sorensen v. Tecnica USA Corp. and Nordica USA Corp., Civil Action No. 06-cv-1941</u> (3) <u>Previous litigation listed in Request</u> 									
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.									
 _____ Authorized Signature		<u>July 30, 2007</u> Date							
<u>Arnold Turk</u> Typed/Printed Name		<u>33094</u> Registration No.	<input type="checkbox"/> For Patent Owner Requester <input checked="" type="checkbox"/> For Third Party Requester						

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